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REPORT
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ELGA BOUILLIANT-LINET

MARCH 5 (legislative day, FEBRUARY 24), 1986.—Ordered to be printed

Mr. THURMOND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 197]

The Committee on the Judiciary, to which was referred the bill (S. 197) for the relief of Elga Bouilliant-Linet, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Elga Bouilliant-Linet. The bill provides for the payment of the required visa fee and for an appropriate visa number deduction.

STATEMENT OF FACTS

The beneficiary of the bill is a 64-year-old native of England. She and her former husband were admitted to the United States as lawful permanent residents on December 27, 1968. When her mother-in-law passed away, the two returned to France and remained there for six years through 1977, thereby abandoning their residence in the U.S. They returned May 2, 1977 as visitors and on February 7, 1978, a sixth preference visa petition was filed and approved. They applied for adjustment of status October 30, 1978, but their divorce proceedings were in progress and final judgment was rendered November 3, 1978. At the August 9, 1979 immigration interview, her husband's status was adjusted, but the beneficiary's application was denied, since she was no longer the spouse of the principal alien.

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The beneficiary has not been employed for more than ten years. She is a dedicated worker in charities. Her income consists of $25,000 a year spousal support; her home is free of a mortgage and has a current market value of $260,000. She wishes to remain in the U.S. to continue receiving medical treatment for a rare disease, Polymyalgia Rheumatica Temporal Arthritis.

A letter, with attached memorandum, dated August 11, 1980, to the Chairman of the Senate Committee on the Judiciary from the Immigration and Naturalization Service with reference to S. 2651, a bill introduced in the 96th Congress for the relief of the same beneficiary, reads as follows:

U.S. DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, DC, August 11, 1980.

A18-378-649.

Hon. EDWARD M. KENNEDY,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (S. 2651) for the relief of Elga Bouilliant-Linet, there is attached a memorandum of information concerning the beneficiary.

The bill would grant the beneficiary permanent residence in the United States as of the date of its enactment upon payment of the required visa fee. It would also direct that a visa number deduction be made.

The beneficiary, a native of Great Britain, is chargeable to the non-preference portion of the numerical limitation for immigrants and conditional entrants.

Sincerely,

CORNELIUS J. LEARY
(For the Commissioner).

Enclosure.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION SERVICE FILES RE S. 2651

The beneficiary, Elga Bouilliant-Linet, was born in Stokesley, England on October 31, 1921 and is divorced. She completed Bar's Hill Finishing School in Coventry, Warwickshire, England.

The beneficiary resides in Palm Desert, California in her own home. She has two sisters residing in England who are citizens of Great Britian. She has a son and daughter born in England during her first marriage who are residents of Canada. They have no immigration status in the United States and are not dependent on the beneficiary.

The beneficiary is not presently employed and has not been employed for at least the last ten years. Her income consists of $25,000 a year spousal support from her former husband, Francis Bouilliant-Linet. Her home is free of mortgage or other liens and has a current market value of $260,000; her jewelry has an estimated value of $153,000;

furniture, antiques, and silver are valued at $130,000; her furs are worth $24,000; her car $11,000; and she has a $7,550 investment in oil wells.

The beneficiary and her former husband were admitted to the United States as lawful permanent residents on December 27, 1968. In 1971 her mother-in-law passed away and the two returned to France to attend to the estate. They remained in France for six years through 1977, thereby abandoning their residence in the United States. On May 2, 1977, the beneficiary and her former spouse last entered the United States as temporary visitors. The beneficiary's authorized stay expired on September 2, 1977 but she has continued to reside in the United States and is presently out of status.

On February 7, 1978, a sixth preference visa petition was filed in behalf of the beneficiary and her former spouse, which was approved on October 3, 1978. They subsequently applied for adjustment of status on October 30, 1978. During this time, however, divorce proceedings between the two were in progress and a final judgment of dissolution of marriage was rendered on November 3, 1978.

On August 9, 1970 an immigration review concerning their application for adjustment of status was conducted at Los Angeles, California. Although her former husband's status was adjusted, the beneficiary's application was denied since she was no longer the spouse of the principal alien.

The beneficiary donates one day a week of her time at Eisenhower Hospital in Palm Desert, California and has no intention of entering the job market. She wishes to remain in the United States in order to continue receiving medical treatment for a rare but noncommunicable disease known as Polymyalgia Rheumatica Temporal Arthritis. She emigrated from England in 1963 and has not since resided in her native country.

Senator Alan Cranston and Senator Pete Wilson, co-authors of the bill, have submitted the following information in support of their bill:

U.S. SENATE,
Washington, DC, January 31, 1983.

Hon. ALAN K. SIMPSON,
Chairman, Subcommittee on Immigration and Refugee Policy, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR ALAN: I'm reintroducing a private bill for the relief of Elga Bouilliant-Linet, and hope it will promptly be approved by your Subcommittee.

Mrs. Bouilliant-Linet is a native of England. She married in 1960 and lived with her husband in France. In 1977 both she and her husband entered the United States on a tourist visa. In August 1977, he applied for permanent residence as an investor. He then applied for alien employment certification on August 29, 1977, which was approved on January 11, 1978. Application was filed

under the then-available sixth preference in the Los Angeles Immigration and Naturalization Service on February 7, 1978, for both parties. Final approval was received October 3, 1978, eight months later.

An appointment for adjustment of status was scheduled for August 9, 1979, ten months later. By then, however, their marriage had ended. As a result, his application was approved, but she was denied adjustment of status and granted voluntary departure. She continues to reside in the United States, but her status depends on approval of the legislation I'm introducing in her behalf.

Under present immigration law, there are no administrative remedies to resolve Mrs. Bouilliant-Linet's dilemma. She's in her mid-sixties and in poor health, being treated for Polymyalgia Rheumatica Temporal arthritis.

Mrs. Bouilliant-Linet is financial independent and does not seek employment.

I'll be forwarding an update on her file, including financial statements, health records, and testimony from several citizens in my state regarding the contributions Mrs. Bouilliant-Linet makes to her community.

I hope the Subcommittee will find it possible to take the steps that will allow this woman to remain in our country, in view of the extreme hardship she would encounter if expected to begin life elsewhere without friends or moral assistance at this particular time in her life.

I would appreciate a report on this bill promptly, if possible.

Cordially,

ALAN CRANSTON.

U.S. SENATE,
Washington, DC, March 1, 1983.

Hon. ALAN K. SIMPSON,
Chairman, Subcommittee on Immigration and Refugee Policy, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR AL: Enclosed is updated material on Mrs. Elga Bouilliant-Linet, for whom I've re-introduced a private bill, S. 306. This file includes a statement from Mrs. Bouilliant-Linet, a history and explanation of her circumstances, her medical and financial status, and several letters of support from friends in her community.

As I mentioned in my letter of January 31, it's my hope that the Subcommittee will favorably report this bill as quickly as possible. Senator Peter Wilson, who is a cosponsor of this private bill, joins me in wishing that this very gracious lady be allowed to remain in our country permanently.

With warm regards,

Cordially,

ALAN CRANSTON.

Enclosure.

PALM DESERT, CA, *February 18, 1983.*

Hon. ALAN CRANSTON,
U.S. Senate,
Washington, DC.

DEAR SENATOR CRANSTON: Please accept this as may official plea to you and to the U.S. Senate, for passage of your member's bill S. 306 to allow me permanent residency in the U.S.A. and subsequently, to apply for citizenship. In support of that plea. I attach documents which deal with my circmstances, my medical condition and my financial security, and I will be pleased to supply anything further which may be required.

Basically, the dissolution of my marriage during the two year span consumed by the Authorities to review our application for resident status, resulted in my former husband's request being approved, whereas mine was summarily denied. In consequence, and notwithstanding that I had previously been lawfully admitted for permanent residency in Milwaukee in 1968 and again as a nonimmigrant visitor in 1977, it became clear that no valid alternative was available to me other than passage of a bill in the U.S. Congress to allow me to remain here. Therefore, you kindly introduced bills S. 2651 and S. 183 with the result that INS thus far, have granted me extensions to my deadline for voluntary departure. As of today, only bill S. 306 can stay my departure from the U.S.

I am fortunate in being financially independent and since I own all my various assets "free and clear" of any liens, there exists no motivations whatsoever which could cause me to seek entry into the U.S. job market (especially at my age) nor to become a financial burden on the community at any time. To the contrary, my ongoing volunteer work over the past six years for the Eisenhower Medical Center, the Bob Hope Desert Classic and the Vintage Tournament have promoted substantial revenues and savings in support of the community. Furthermore, I have contributed regularly to the economy through payments of Federal and California income taxes, California property taxes and California retail sales taxes, and I have every intention of continuing to, if so permitted.

Finally, and as documented separately by Dr. Richard Stone, Chairman of the Departments of Medicine and Nephrology at Eisenhower Medical Center, my medical aspects remain such that "if Elga were removed from this geographic area, it would present great difficulties in futher medical evaluation, and it might seriously impair her overall health."

Throughout my life, I have taken pride in being regarded as a law-abiding and charitable person, traits that I believe I have displayed consistently during my last six years in Palm Desert, where I have my only home. I appeal to you, Senator and through bill S. 306 to the entire U.S. Congress, that I be permitted to remain in my home in California. Thank you for your many continuous efforts on my behalf.

Very sincerly yours,

Mrs. ELGA BOUILLIANT-LINET.

EISENHOWER MEDICAL CENTER,
Rancho Mirage, CA, January 25, 1983.

Re Private Member Bill No. S183 for the relief of Elga Bouilliant-Linet.

Hon. ALAN CRANSTON,
U.S. Senate,
Washington, DC.

DEAR SENATOR CRANSTON: I have known Elga Bouilliant-Linet in a large number of capacities over the past 4 to 4½ years. More specifically, I have known her as a patient, on personal level and as a volunteer at the hospital.

Elga has always functioned as an exemplary individual and she would be a welcome addition to any group or body. Her character is beyond reproach, and she is a fine human being. Over and above the aforementioned attractive personal characteristics, Elga consistently demonstrates a large number of skills and has always functioned as an extremely hard worker.

In addition to her very desirable personal characteristics, I would like to note that I have also known Elga as a patient with a very complicated medical illness, called, "polymyalgia rheumatica." I have followed her for this problem for approximately 4 years, and, in addition, Elga has been followed at Scripps Clinic in La Jolla. Initially, she was quite ill and required large doses of steroids as the therapy. However, she responded remarkably well to this medication, and at the moment she is in excellent health. However, it should be noted that this is an extremely complicated illness and requires careful followup and evaluation. If Elga were removed from this geographic area, it would present great difficulties in further medical evaluation, and it might seriously impair her overall health.

I believe that it is both extremely important and appropriate that she obtain her citizenship, and I would request that you support Elga in every way possible.

If I can provide any further information, please do not hesitate to contact me.

Sincerely,

RICHARD A. STONE, M.D.,
Chairman, Department of Medicine,
Chairman, Nephrology Section, Eisenhower Medical Center.

PALM DESERT, CA, *January 20, 1983.*

Re Elga Bouilliant-Linet.

Senator ALAN CRANSTON,
Washington, DC.

DEAR SENATOR CRANSTON: I am writing to you regarding the Private Members Bill that you are introducing for the relief of Elga Bouilliant-Linet.

I have known Elga for the past 4 years since we moved to Palm Desert and know her to be a very desirable person and would be a good and productive American Citizen. She is self-supporting and

not dependent on the government for support. She also volunteers her time in the community where needed.

Sincerely,

MAJORIE R. JONES.

BEACH CITY CHEVROLET CO.,
February 10, 1983.

Re S-306.

Hon. ALAN CRANSTON,
U.S. Senate,
Washington, DC.

DEAR SENATOR: I understand you have introduced a bill S-306 to the 98th Congress seeking help for Elga Bouilliant-Linet.

You deserve many thanks for helping Elga who is a prime example of an innocent victim of circumstances. She is a woman who moved to this country with her husband, following him as she had done six years prior when he moved to France to attend to family affairs.

Her husband was educated in the United States and they both lived in Wisconsin for several years where he was an executive with Allis Chalmers.

In 1977 Elga and her husband applied for permanent resident visas, formed two California corporations related to ranching and invested in real estate in California.

Then came the problem! Elga's husband divorced her and remarried just prior to August 1979 immigration interview. At the interview his application was approved and her's was denied because she was no longer married to him.

She was told she would have to leave the country under a voluntary deportation order which order could only be stayed by a U.S. Senator's Private Member's bill.

Thanks to you she has been able to stay here where she has made hundreds of friends all impressed with her unselfish devotion to charities and others less fortunate than herself. She has been a wonderful person and she deserves all the help we can give her.

I understand your latest bill no longer guarantees her staying here as the previous bills did because the Senate Rules Committee has adopted the same rules as the House which means no automatic stay of the voluntary deportation order.

I beg of you to further help Elga by whatever action is necessary to eventually bring your bill to the floor.

With every good wish for your Presidential campaign.

I remain.

Sincerely,

JAMES H. CROOKER.

UNIVERSITY OF CALIFORNIA, IRVINE,
Irvine, CA, January 26, 1983.

Hon. ALAN CRANSTON,
U.S. Senate, Senate Office Building,
Washington, DC.

Attention: Robin Sher.

DEAR SENATOR CRANSTON: Two years ago you introduced a Private Member Bill on behalf of Elga Bouilliant-Linet who has been

a resident in this country for six years and would like to become a permanent citizen. I have known Mrs. Bouilliant throughout all of this time and therefore am able to judge her personal habits, financial resources and social behavior. She has been active in the Bob Hope Desert Classic Golf Tournament and the Eisenhower Medical Center as a volunteer and in both of these roles has made significant charitable contributions to the desert community. There is no question that she would ever be a ward of the state. There is no question that her behavior would reflect poorly on you or any of her sponsors. There is no question that she is deserving of citizenship in the U.S.A. and that were it granted, our country would be richer for it.

I can't understand how we get involved with the Cubans and Haitians currently in South Florida and all the problems that they create and then are unwilling to grant this attractive person permission to live in our country.

It is my understanding that today, January 26, 1983, you are reintroducing the Private Member Bill on her behalf and that you will make an effort to have this bill passed. I wish you success and will forever be grateful for whatever you may do to accomplish this goal.

Sincerely,

E.R. JENNINGS, M.D.,
Assistant Dean.

IMPERIAL BANCORP,
Los Angeles, CA, February 3, 1983.

Re Private Members Bill No. S. 306; Elga Bouilliant-Linet.

Hon. ALAN CRANSTON,
U.S. Senate,
Senate Office Building,
Washington, DC.

DEAR SENATOR CRANSTON: I am pleased to learn that you have reintroduced Private Members Bill No. S. 5261 on behalf of our dear friend Elga Bouilliant-Linet who resides at 73-596 Malabata Drive, Palm Desert, California 92260. She presently has been in the United States for the past four or five years from England on a visa.

Elga is a very fine person whom we are very fond of and who has a host of fiends in the southern California area. She is a very dedicated worker in charities and has recently acquired her 1000-hour pin as a volunteer worker at the Eisenhower Medical Center in Rancho Mirage in addition to working on numerous other campaigns such as the American Heart Association. She owns a home in Palm Desert and is in all respects a well qualified individual for citizenship.

We commend you for you action and trust that this matter will be resolved favorably for her. We will look forward to further

progress and would appreciate your office keeping us apprised of the developments.

Sincerely,

GEORGE L. GRAZIADIO.

EISENHOWER MEDICAL CENTER,
January 31, 1983.

Re Private Member Bill S. 306 for the relief of Elga-Bouilliant-Linet.

Hon. ALAN CRANSTON,
U.S. Senate,
Washington, DC.

Attention: Robin Sher.

DEAR SENATOR: Thank you for your call in response to my letter of January 17, 1983, with regard to the relief of Elga Bouilliant-Linet.

Her position with us is *vital.* She comes into the hospital on a regular basis, as many as five times a week, and is also on call should an emergency arise. Her duties as a volunteer consist of helping patients with their menus, relieving nurses of some of their duties by feeding patients, running errands for doctors and pharmacy staff, and discharging patients. She also assists at the Information desk and is loved and respected by all those with whom she is in contact. Because she is such a responsible and dedicated volunteer, we have recently promoted her to the area of trainer, in addition to her regular duties of the past six years.

In this day and age when so many people who are liabilities are being allowed to become citizens of this country, it would seem to me that Mrs. Bouilliant-Linet, who is financially independent, useful to our community and so willing to help others less fortunate than she, would be a welcome addition to our society.

Of the six hundred plus volunteers under my direction, I would have a difficult time selecting a more efficient or more personable "ambassador" for our hospital and our country than Elga Bouilliant-Linet.

I respectfully request that you give this matter your wholehearted consideration and allow Mrs. Bouilliant-Linet the relief she so richly deserves.

Very truly yours,

DORIS CUDWORTH,
Director of Volunteers.

EISENHOWER MEDICAL CENTER,
February 3, 1983.

Re Elga Bouilliant-Linet, Character Reference, Private Member Bill S. 306.

Hon. ALAN CRANSTON,
U.S. Senate, Senate Building,
Washington, DC.

Attention: Robin Sher.

DEAR SENATOR: I have been acquainted with Mrs. Bouilliant-Linet for the past four years during my tenure in the desert area. She has been a faithful volunteer at Eisenhower Medical Center

where I am the Director of Nursing Education. In the course of my duties here, I have had much contact with this extraordinary lady. There is no question that she is well suited for her role in the Eisenhower Medical Center Auxiliary and Volunteer group. She faithfully discharges her duties and adds that plus of personal warmth to all the patients she assists.

She presents herself as a well educated, refined, and sensitive care provider. She speaks fluent French but her primary language is English. We think of her as a solid citizen, beyond reproach, who takes her civic and volunteer duties seriously. She owns a lovely home in Palm Desert and has an independent income which allows her to spend her time in eleemosynary endeavors. It is a pleasure for me to write this kind of note and I have no reservations at all about this lady becoming a citizen. I do hope you will agree and expedite this matter.

Good luck in your run for the presidency.

A Faithful Registered Democrat,

GORDON C. FOSBERG, MPA, RN,
Director, Nursing Education.

SUN WORLD,
Coachella, CA, February 11, 1983.

Re Elga Bouilliant-Linet, Character Reference, Private Member Bill S. 306.

Hon. ALAN CRANSTON,
U.S. Senate, Senate Office Building,
Washington, DC.

Attention: Robin Sher.

DEAR SENATOR CRANSTON: It is a pleasure for me to strongly recommend Mrs. Bouilliant-Linet for permanent residency, and eventually citizenship in the United States. She is a lovely, gracious, lady unselfish of her time in helping others. Not only is she a dedicated volunteer for the Eisenhower Medical Center Auxiliary, but always available and eager to participate in any worthwhile charitable event for those in need or for the betterment of her community.

My wife and I have known Mrs. Bouilliant-Linet for 6 years. She maintains a lovely home, is self-sufficient and would not be a burden to this country. She would be a loyal, upstanding and outstanding citizen of the United States and we are proud to have her as our friend.

Any consideration you will give to Mrs. Bouilliant-Linet will be greatly appreciated by me.

Kind personal regards.

Sincerely,

ROBERT NIES, *Vice President.*

U.S. SENATE,
Washington, DC, January 24, 1985.

Hon. ALAN K. SIMPSON,
Chairman, Subcommittee on Immigration and Refugee Policy, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR AL: I deeply appreciate your efforts last Congress to move S. 306, my private bill for the relief of Elga Bouilliant-Linet. As you

know, S. 306 passed the Senate on November 15, 1983. Unfortunately, as a result of a breakdown in communications, there was no House action on the bill and it died in the 98th Congress.

Since the sine die adjournment of the 98th Congress, I've been in touch with the House Subcommittee, made sure they received the documentation they needed to proceed to consider this case, and been assured they will give all appropriate attention to the matter this year.

In the meantime, Mrs. Bouilliant-Linet's situation remains unchanged and I have furnished updated medical reports on her condition to your subcommittee staff.

I reintroduced legislation on behalf of Mrs. Bouilliant-Linet on January 21, 1985, and, as S. 197, it has been referred to your subcommittee. I would deeply appreciate it if you could facilitate a repeat of last Congress' favorable Senate consideration of this bill at the earliest possible time, so that we can concentrate on moving the legislation through the House. In my judgment, Mrs. Bouilliant-Linet is particularly deserving of this action and has had to face uncertainty about her immigration status for far too long.

Should you have any questions or need further information, please have your staff contact Hal Gross of my staff at 224-8121.

Again, I deeply appreciate your assistance in this matter.

Cordially,

ALAN CRANSTON.

COST

No cost would result from enactment of this bill.

REGULATORY IMPACT STATEMENT

In compliance with paragraph 11(b)(1), Rule XXVI of the Standing Rules of the Senate, it is hereby stated that the committee anticipates that the bill will have no additional direct regulatory impact, inasmuch as it affects just one individual.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 197) should be enacted.

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